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**MAILED**

**OCT 12 2010**

**OFFICE OF PETITIONS**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| In re Application of             | : |                      |
| Takeo EGUCHI et al.              | : |                      |
| Application No. 10/574,738       | : | DECISION ON PETITION |
| Filed: January 16, 2007          | : |                      |
| Attorney Docket No. 075834.00567 | : |                      |

This is a decision on the petition, filed June 10, 2010, which is being treated as a petition under 37 CFR 1.8(b), requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely pay the issue and publication fees on or before May 17, 2010, as required by the Notice of Allowance and Fee(s) Due, mailed February 17, 2010, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on May 18, 2010.

Petitioner states that a timely reply was received via auto-reply facsimile on May 17, 2010. Petitioner has submitted a copy of the auto-reply facsimile confirmation from the Office.

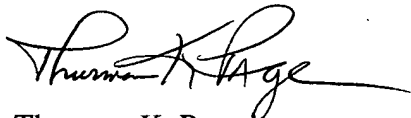
A review of the Office records indicates that a reply was received, which gave the Office authorization to charge the issue and publication fees.

In view of the above, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The issue and publication fees submitted with the petition will be accepted.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272- 4231.

This application is being referred to the Office of Data Management.

A handwritten signature in black ink, appearing to read "Thurman K. Page". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thurman K. Page  
Petitions Examiner  
Office of Petitions

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CENTRAL FAX CENTER  
**JUN 10 2010**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Appl. No.:** 10/574,738 **Confirmation No.:** 5476  
**Applicant:** Takeo Eguchi  
**Filed:** April 4, 2006  
**TC/A.U.:** 2853  
**Examiner:** Geoffrey S Mruk  
**Docket No.:** 075834.00567  
**Customer No.:** 33448

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**S I R:**

On June 3, 2010, the United States Patent Office mailed a Notice of Abandonment for the above-referenced United States patent application as a result of a purported failure to pay the Issue Fee due May 17, 2010. Applicant respectfully submits that the undersigned transmitted the issue fee payment in a timely manner and that the holding of abandonment is erroneous.

Specifically, the undersigned transmitted a timely issue fee payment which was actually received by the United States Patent Office via its automated facsimile communication system on May 17, 2010. Accordingly, Applicant requests that the abandoned status of this application be withdrawn and the application issue as a patent.

In support of this petition, Applicant has attached a copy of the Auto-Reply Facsimile transmission from the United States Patent Office dated May 17, 2010, indicating that two pages had been received at 3:52:44 PM (Easter Daylight Time) and the image of the first

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JUN 10 2010

App. No. 10/574,738  
Petition to Show Timely Filing dated June 10, 2010

page indicates that the transmission was for this application. A copy of the properly executed issue fee transmittal form which was the second page of the two page transmission is also attached.

Applicant respectfully submits that the documents confirm that the issue fee transmittal form was actually received within the requisite period for response and that the holding of abandonment should therefore be withdrawn. Applicant therefore requests that the United States Patent Office withdraw the abandoned status of this application and now process the issue fee payment fro this application.

Respectfully submitted,

Date: June 10, 2010

(Reg. #37,607)

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